



Senate

General Assembly

February Session, 2018

File No. 478

Senate Bill No. 430

Senate, April 12, 2018

The Committee on Government Administration and Elections reported through SEN. FLEXER of the 29th Dist. and SEN. MCLACHLAN, M. of the 24th Dist., Chairpersons of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT UPDATING STATUTES REGARDING ELECTIONS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 9-16 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 The registrars of voters in each town shall give notice of the time
4 and place of each session for the admission of electors held pursuant to
5 section 9-17 by publication in a newspaper published or circulated in
6 such town, or on the town's Internet web site, not more than fifteen nor
7 less than five days before each such session. Nothing herein shall
8 require that such publication be in the form of a legal advertisement.

9 Sec. 2. Section 9-17a of the general statutes is repealed and the
10 following is substituted in lieu thereof (*Effective October 1, 2018*):

11 As used in sections [9-17, 9-19b,] 9-19c, 9-20, [9-23a, 9-24,] 9-31a [, 9-
12 31b] and 9-31l, as amended by this act, unless otherwise provided, the

13 term "admitting official" means a town clerk, assistant town clerk,
14 registrar of voters, deputy registrar of voters or assistant registrar of
15 voters. [or the board for admission of electors.]

16 Sec. 3. Section 9-31l of the general statutes is repealed and the
17 following is substituted in lieu thereof (*Effective October 1, 2018*):

18 (a) (1) A person who is denied admission as an elector may appeal a
19 decision of an admitting official of a town concerning the right of such
20 person to be or remain an elector. Any such appeal shall be made to
21 the registrars of voters of such town. [, except that if the admitting
22 official who made such decision is a registrar of voters, the appeal shall
23 be made to the board for admission of electors of such town.]

24 (2) Notice of an appeal shall be in writing and delivered to the
25 registrars. [or to the board for admission of electors. Within] Not later
26 than seven days after receipt of a notice of appeal, the registrars [or the
27 board, as the case may be,] shall give written notice of the time and
28 place where such appeal will be heard to the appellant and to the
29 admitting official whose decision is the subject of the appeal. Such
30 appeal shall be heard [within] not later than twenty-one days after
31 notice of the appeal is delivered to the registrars. [or the board. Neither
32 a registrar whose decision is the subject of the appeal nor a registrar
33 who is an appellant shall be a voting member of the board which hears
34 the appeal.]

35 (3) The registrars [or the board] may receive sworn testimony and
36 any other evidence relating to the qualifications of such person to be or
37 remain an elector.

38 (4) [Within] Not later than seven days after hearing an appeal, the
39 registrars [or the board] shall render a decision and shall send written
40 notice of the decision to the appellant and the admitting official whose
41 decision was the subject of the appeal.

42 (b) (1) The person whose right to be or remain an elector is in
43 dispute may appeal the decision of the registrars [or the board for the

44 admission of electors] under subsection (a) of this section to the State
45 Elections Enforcement Commission. If an appeal is not made to the
46 commission as provided in this subsection, the decision of the
47 registrars [or the board] shall be final.

48 (2) Any such appeal shall be in writing and filed with the State
49 Elections Enforcement Commission at its principal offices not later
50 than fourteen days [following] after the decision of the registrars, [or
51 the board.] A copy of any such notice of appeal shall also be delivered
52 within such time to the registrars [or the board] that rendered the
53 decision under subsection (a) of this section.

54 (3) The registrars [or the board] shall, not later than ten days after
55 receipt of a copy of the notice of appeal, deliver the record of the
56 hearing of the registrars [or board] under subsection (a) of this section
57 to the commission.

58 (4) The commission shall hear such appeal not later than twenty-one
59 days after notice of appeal is filed with the commission. Such hearing
60 shall be conducted in accordance with the provisions of sections 4-176e
61 to 4-180a, inclusive, and section 4-181a. The commission may consider
62 the record of the hearing delivered by the registrars [or the board] and
63 may examine witnesses, documents and any other evidence that it
64 determines may have a bearing on the proper determination of the
65 issues brought on appeal. The commission's hearing shall be recorded.

66 (5) The commission shall render its decision not later than sixty days
67 after the close of its hearing, except that an extension of time may be
68 granted by the commission upon application of any party that sets
69 forth circumstances that the commission determines is appropriate to
70 granting an extension of time. The commission may also initiate an
71 extension of time for rendering its decision, after written notice to the
72 parties, provided all of the parties before the commission give their
73 prior written consent.

74 (6) The decision of the commission shall determine the person's
75 right to be or remain an elector. If any such decision is adverse to such

76 individual's right, the commission shall order both registrars to
77 remove the elector's name from the town's active and inactive registry
78 list and any enrollment list. Any person whose name has been so
79 removed may reapply for admission as an elector with the registrars of
80 voters of the same town at any time. If such application is made within
81 four years after the commission's decision, both registrars may
82 approve such application only after they find that there has been a
83 substantial change in the circumstances that provided the basis for the
84 commission's decision and that the individual is eligible to be an
85 elector. Registrars who approve an individual's application for
86 admission within this time period without a substantial change in
87 circumstances may be subject to a civil penalty imposed by the
88 commission in accordance with subdivision (2) of subsection (a) of
89 section 9-7b if the commission determines, following a written
90 complaint filed with the commission pursuant to said section 9-7b, that
91 the registrars' action was without good cause and constitutes a wilful
92 violation of a prior order of the commission.

93 Sec. 4. Section 9-358 of the general statutes is repealed and the
94 following is substituted in lieu thereof (*Effective October 1, 2018*):

95 Any person who, upon oath or affirmation, legally administered,
96 wilfully and corruptly testifies or affirms, before any registrar of
97 voters, any moderator of any election, primary or referendum [, any
98 board for admission of electors] or the State Elections Enforcement
99 Commission, falsely, to any material fact concerning the identity, age,
100 residence or other qualifications of any person whose right to be
101 registered or admitted as an elector or to vote at any election, primary
102 or referendum is being passed upon and decided, shall be guilty of a
103 class D felony and shall be disfranchised.

104 Sec. 5. Section 9-362 of the general statutes is repealed and the
105 following is substituted in lieu thereof (*Effective October 1, 2018*):

106 The decision [of the board for admission of electors or] of the
107 registrars or of a moderator, as to a person's right to be admitted to the
108 elector's oath, to registration or to cast his vote, shall, in no case, be a

109 bar to a criminal prosecution for procuring himself to be made an
110 elector or to be registered or for voting, without the qualifications
111 required by law.

112 Sec. 6. Subsections (a) and (b) of section 9-35 of the general statutes
113 are repealed and the following is substituted in lieu thereof (*Effective*
114 *from passage*):

115 (a) The registrars, [on the Tuesday of the fifth week] before each
116 regular election, shall [be in session for the purpose of completing]
117 complete a correct list of all electors who will be entitled to vote at
118 such election. Such registry list shall consist of an active registry list
119 and an inactive registry list. [Such session shall be held during such
120 hours between nine o'clock a.m. and five o'clock p.m. as the registrars
121 find necessary to complete the list. Notice of such session shall be
122 given at least five days before the session by publication in a
123 newspaper having a circulation in such municipality, if any, and by
124 posting on the signpost therein, if any, or at some other exterior place
125 near the office of the town clerk. Such publication shall not be required
126 to be in the form of a legal advertisement.]

127 (b) [At such session and on] On any day except on the day of an
128 election or primary, the registrars shall remove from the list the name
129 of each elector who has died, who has been disfranchised or who has
130 confirmed in writing that the elector has moved out of the
131 municipality, except electors entitled to remain on such list under the
132 provisions of this chapter. An elector shall be deemed to have
133 confirmed in writing that the elector has moved out of the
134 municipality if (1) the elector has submitted a change of address form
135 for purposes of a state motor vehicle operator's license, unless the
136 elector states on the form that the change of address is not for voter
137 registration purposes, (2) the elector has submitted a change of address
138 form to a voter registration agency, as defined in section 9-23n, and
139 such agency has provided such change of address to the registrars of
140 voters, or (3) the registrars of voters have received a cancellation of
141 previous registration from any other election official indicating that

142 such elector has registered as an elector outside such municipality.

143 Sec. 7. Section 9-35a of the general statutes is repealed and the
144 following is substituted in lieu thereof (*Effective from passage*):

145 Immediately [after the close of the session or immediately] after the
146 sending of notice of intended removal provided for in section 9-35, as
147 amended by this act, the registrars of voters shall post at the town hall
148 or municipal building in the municipality in which they serve, in a
149 place readily accessible to the public, a list of the names of the electors
150 whose names were removed from the registry list [at such session] or
151 will be removed on the date specified in section 9-35, as amended by
152 this act, together with the address of each such elector as it appeared
153 on the registry list at the time the name was so removed. Together with
154 such list, and as a part thereof, such registrars shall also cause to be
155 posted a statement that complete information as to such removal and
156 as to the privileges and remedies of those whose names were removed
157 from the registry list is available from such registrars, specifying when
158 and where such registrars are available for such purpose and, in the
159 case of registrars of voters having office hours, specifying such office
160 hours.

161 Sec. 8. Section 9-39 of the general statutes is repealed and the
162 following is substituted in lieu thereof (*Effective from passage*):

163 [The] For the purposes of section 9-234, the registrars of voters of
164 each municipality shall print copies of the final registry list for
165 distribution [in such municipality and] in all the voting districts
166 located [therein] within such municipality. The registrars shall, upon
167 request, produce for any candidate for election the final registry list for
168 each voting district for which such person is a candidate and shall
169 maintain such list, either on paper or in electronic format, for a period
170 of two years.

171 Sec. 9. Section 9-172b of the general statutes is repealed and the
172 following is substituted in lieu thereof (*Effective from passage*):

173 (a) In each municipality or political subdivision in which a special
174 election or referendum is to be held, the registrars of voters shall
175 prepare an updated list of the names and addresses of those persons
176 who acquired voting privileges after the completion of the revised
177 registry list and prior to the day of such special election or referendum.
178 In each such municipality or political subdivision, not later than the
179 day before such special election or referendum, such registrars of
180 voters shall cause to be completed [and printed] such list arranged as
181 provided in section 9-35, as amended by this act, and certified by them
182 to be correct, and shall [retain] print a sufficient number of copies to be
183 used by them at such special election or referendum for the [purpose
184 of checking the names of those who vote] purposes of section 9-234,
185 provided the names of any persons who acquired such voting
186 privileges within thirty days before such special election or
187 referendum may be inserted in writing on such printed list. [in
188 writing.]

189 (b) In the case of a special election or referendum, no person
190 admitted as an elector on the day of [the] such special election or
191 referendum shall be entitled to vote in [that] such special election or
192 referendum.

193 Sec. 10. Subsection (d) of section 9-192a of the general statutes is
194 repealed and the following is substituted in lieu thereof (*Effective from*
195 *passage*):

196 (d) The advisory committee shall also [(1)] develop a training
197 program in election procedures for poll workers. [, and (2) develop an
198 election law and procedures training program and guide for registrars,
199 deputy registrars and assistant registrars. The training program
200 developed under subdivision (2) of this subsection shall provide for
201 training to be conducted by trained registrars or former registrars
202 hired for such purpose by the Secretary of the State.] The committee
203 shall submit such training [programs and training guide] program to
204 the Secretary of the State, who shall approve or modify [the programs
205 and guide] such program.

206 Sec. 11. Subdivision (3) of subsection (a) of section 9-192a of the
 207 general statutes is repealed and the following is substituted in lieu
 208 thereof (*Effective from passage*):

209 (3) Once certified, pursuant to subdivision (1) of this subsection,
 210 each registrar shall participate each year in not less than eight hours of
 211 training [, not including any training described under subdivision (2)
 212 of subsection (d) of this section,] in order to maintain such certification.
 213 Such training shall be as prescribed by the Secretary of the State and
 214 shall be conducted by said Secretary or a third party approved by said
 215 Secretary to conduct such training. Any registrar who fails to satisfy
 216 such annual training requirement shall be directed by the Secretary of
 217 the State to take remedial measures prescribed by said Secretary.

218 Sec. 12. Subsection (b) of section 9-249 of the general statutes is
 219 repealed and the following is substituted in lieu thereof (*Effective from*
 220 *passage*):

221 (b) The election officials of such voting districts shall attend the
 222 elections training program developed under [subdivision (1) of]
 223 subsection (d) of section 9-192a, as amended by this act, and any other
 224 meeting or meetings as are called for the purpose of receiving such
 225 instructions concerning their duties as are necessary for the proper
 226 conduct of the election.

227 Sec. 13. Subsection (b) of section 9-1, and sections 9-15a and 9-192b
 228 of the general statutes are repealed. (*Effective from passage*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	9-16
Sec. 2	<i>October 1, 2018</i>	9-17a
Sec. 3	<i>October 1, 2018</i>	9-31l
Sec. 4	<i>October 1, 2018</i>	9-358
Sec. 5	<i>October 1, 2018</i>	9-362
Sec. 6	<i>from passage</i>	9-35(a) and (b)
Sec. 7	<i>from passage</i>	9-35a

Sec. 8	<i>from passage</i>	9-39
Sec. 9	<i>from passage</i>	9-172b
Sec. 10	<i>from passage</i>	9-192a(d)
Sec. 11	<i>from passage</i>	9-192a(a)(3)
Sec. 12	<i>from passage</i>	9-249(b)
Sec. 13	<i>from passage</i>	Repealer section

GAE *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note***State Impact:*** None***Municipal Impact:*** None***Explanation***

The bill eliminates certain training programs conducted by registrars or former registrars. There is no fiscal impact anticipated to municipalities as there have been no registrars hired for this purpose in recent years.

The Out Years***State Impact:*** None***Municipal Impact:*** None*Sources: Secretary of the State*

OLR Bill Analysis**SB 430*****AN ACT UPDATING STATUTES REGARDING ELECTIONS.*****SUMMARY**

This bill eliminates provisions requiring voter registrars to (1) designate themselves, a deputy, or an assistant to receive 10 hours of instruction under an elections training program the bill eliminates and (2) hold a session to complete a correct voter registry list on the Tuesday of the fifth week before each regular election.

By law, registrars must hold voter registration sessions. Current law requires registrars to give notice of each session's time and place in a newspaper published or circulated in the town. The bill allows registrars to meet this requirement by posting the information on the town's website.

The bill eliminates a requirement that each town have a board for admission of electors to hear appeals of registrar decisions. Existing law, unchanged by the bill, allows anyone denied admission as an elector to appeal the denial to the town's voter registrars. The bill eliminates a requirement that, in cases where the registrar issued the denial, the person must instead appeal to the town's board for admission of electors. It eliminates related provisions on board membership, quorum, and attendance.

EFFECTIVE DATE: Upon passage, except for the repeal of the requirement that boards hear certain appeals, which is effective October 1, 2018.

TRAINING PROGRAM

By law, the secretary of the state, in consultation with an advisory committee, must establish a program to certify voter registrars and

prescribe at least 8 hours of annual training that registrars must complete to maintain their certification. By law, the advisory committee consists of six members, including four voter registrars appointed by the secretary of the state.

The bill eliminates a separate requirement that voter registrars annually designate themselves, a deputy registrar, or an assistant to receive 10 hours of instruction under an election law and procedures training program and guide developed by the advisory committee and conducted by trained registrars or former registrars hired by the secretary of the state. The bill correspondingly eliminates the requirement that the advisory committee develop such a program.

SESSION FOR VOTER REGISTRY LIST

Current law requires voter registrars to hold a session on the Tuesday of the fifth week before each regular election to complete a correct list of electors who will be entitled to vote in the election (i.e., a registry list). The bill eliminates the session requirement, including the specific time and notice requirements, and instead requires voter registrars to complete the registry list before each regular election.

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable

Yea 17 Nay 0 (03/23/2018)